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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	MSC-23193-3
First Inventor	G. Dickey Arndt
Title	Passive Tracking System and Method
Express Mail Label No.	EU657648142US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 65]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 11]
5. Oath or Declaration [Total Pages 3]
 - a. ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - b. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Letter containing certificate of mailing

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: 09, 994,989

Prior application information:

Examiner: Fred H. Mull

Group Art Unit: 3662

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Labelor ☐ Correspondence address below

Name	Theodore U. Ro 24957				
Address	NASA Johnson Space Center				
City	Houston	State	Texas	Zip Code	77058
Country	USA	Telephone	281-244-7148	Fax	281-244-8452

Name (Print/Type)	Theodore U. Ro	Registration No. (Attorney/Agent)	52,168
Signature	<i>Theodore U. Ro</i>	Date	07/01/2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL
for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ **750.00**)**Complete if Known**

Application Number	
Filing Date	7/1/2003
First Named Inventor	G. Dickey Arndt
Examiner Name	
Art Unit	
Attorney Docket No.	MSC-23193-3

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:
 Deposit Account Number
 Deposit Account Name

14-0116

National Aeronautics and Space Administration

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	750.00
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 750.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES****Large Entity Small Entity**

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**SUBMITTED BY**

Name (Print/Type)	Theodore U. Ro	Registration No. (Attorney/Agent)	52,168	Telephone	281-244-7148
Signature	<i>Theodore U. Ro</i>	Date	7/1/03		

(Complete if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor G. Dickey Arndt

Title Passive Tracking System and Method

Atty Docket Number MSC-23193-3

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

T.U.
7/2/03
Date


Signature

Theodore U. Ro, #52,168

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

NASA CASE NO. MSC-23193-3

Patent Application

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Sean O'Keefe) Group Art
First Named Inventor: G. Dickey Arndt) Unit:
Serial No.:)
Filed : July 1, 2003)
For: Passive Tracking System and Method)
)
)

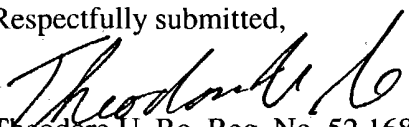
Letter

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

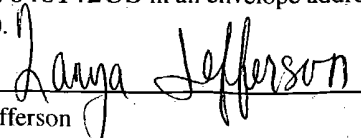
The enclosed application is being filed in accordance with Rules 1.10 and 1.53(b) in order to obtain a filing date of July 1, 2003. The application is being sent by Express Mail "Post Office to Addressee" under Certificate EU657648142US.

Respectfully submitted,


Theodore U. Ro, Reg. No. 52,168
Attorney for Applicant

Houston, Texas 77058
Telephone: 281-244-7148 or 281-483-4871
Datafax: 281-244-8452

I hereby certify that the attached application "Passive Tracking System and Method," is being deposited with the United States Postal Service on July 1, 2003, as Express Mail "Post Office to Addressee" under Certificate No. EU657648142US in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Tanya B. Jefferson



National
Aeronautics and
Space
Administration

Request for Filing a Continuation, Divisional or Continuation-in-Part Application Under 37 CFR 1.53(b)

NASA Case No. MSC-23193-3

Class _____ Subclass _____

Prior Application:

Examiner Fred H. Mull Art Unit 3662

THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Sir:

This is a request for filing a ☐ continuation, ☒ continuation-in-part, or ☐ divisional application under 37 CFR 1.53(b) of
prior application:

Serial No.: 09/994,989 Confirmation No.: 1572 Filed: 11/14/2001Entitled: Passive Tracking System and Method

by the following named inventor(s):

FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	Arndt	G.	Dickey
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	Friendswood	Texas	USA
MAILING ADDRESS	STREET NUMBER AND NAME	CITY	STATE AND ZIP CODE/COUNTRY
	P.O. Box 589	Friendswood	Texas 77546
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	Ngo	Phong	H.
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	Friendswood	Texas	USA
MAILING ADDRESS	STREET NUMBER AND NAME	CITY	STATE AND ZIP CODE/COUNTRY
	1508 Azalea Trail	Friendswood	Texas 77546
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	Chen	Henry	A.
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	Houston	Texas	USA
MAILING ADDRESS	STREET NUMBER AND NAME	CITY	STATE AND ZIP CODE/COUNTRY
	2707 Ivy Dell Court	Houston	Texas 77059
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
	Phan	Chau	T.
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	Houston	Texas	USA
MAILING ADDRESS	STREET NUMBER AND NAME	CITY	STATE AND ZIP CODE/COUNTRY
	12070 Green Glade	Houston	Texas 77099

FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
MAILING ADDRESS	STREET NUMBER AND NAME	CITY	STATE AND ZIP CODE/COUNTRY
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
MAILING ADDRESS	STREET NUMBER AND NAME	CITY	STATE AND ZIP CODE/COUNTRY
FULL NAME OF INVENTOR	FAMILY NAME	FIRST GIVEN NAME	SECOND GIVEN NAME
RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
MAILING ADDRESS	STREET NUMBER AND NAME	CITY	STATE AND ZIP CODE/COUNTRY

- ☒ 1. Enclosed is a copy of the prior application, including the specifications, claims, drawings and declaration as originally filed.
- ☒ 2. Cancel in this application original claims 1-55 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing)
- ☒ 3. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in prior application.)

The filing fee is calculated on the basis of claims existing in the prior application as amended at 2, above.

CLAIMS				
FOR (1)	NUMBER		RATE (4)	CALCULATIONS (5)
	PAID FOR (2)	EXTRA (3)		
TOTAL CLAIMS 41	55	0	\$18.00	\$0.00
INDEPENDENT CLAIMS 4	7	0	\$84.00	\$0.00
MULTIPLE DEPENDENT CLAIMS (If applicable) -----				
BASIC FEE -----				\$750.00
TOTAL =				\$750.00

- ☒ 4. The Commissioner is hereby authorized to charge any fees which may be required to effect only the filing of this application under CFR 1.16 or credit any overpayment to Deposit Account No. 14-0116
- ☒ 5. A new declaration is included (required for continuation or divisional application adding new inventor, and in continuation-in-part applications).
- ☒ 6. Amend the specification by inserting before the first line the following sentence:
 "This application is a ☐ division, ☒ continuation-in-part, or
☐ continuation of application Serial No. 09/994,989, filed 11/14/2001"
- ☐ 7. New drawings are enclosed.

☒ 8. Nonpublication request and certification is enclosed (*PTO/SB/35 or equivalent*).

☒ 9. The prior application is assigned of record to:

United States of America as represented by the Administrator, National Aeronautics & Space Administration

☒ 10. The Power of Attorney in the prior application is to:

☒ a. Registered practitioners at Customer No.: 24957

☐ b. Registered practitioners listed below (*Name and registration number*):

☐ 11. A Power of Attorney is enclosed.

☒ 12. Also enclosed: Extra copy of this form; Ltr (1 pg) containing the Exp. Mailing Cert. &USPTO PTO/SB/05

Address all future communications to:

☒ a. Customer No.: 24957

☒ b. Correspondence Address listed below (*Name, address and telephone number*).

Theodore U. Ro, Office of Patent Counsel, Code HA, NASA Road One, Houston, TX 77058-3696

Telephone: 281244-7148, Fax 281-244-8452

7/1/03
(Date)

Theodore U. Ro, Reg # 52,168

(Signature - Attorney of Record) (Registration Number)